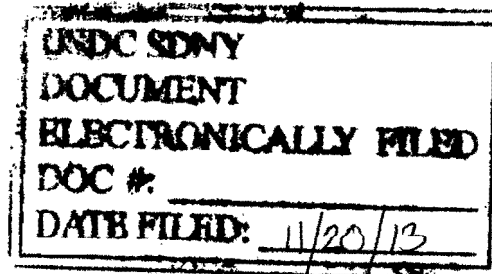


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



In Re: Methyl Tertiary Butyl Ether Products  
Liability Litigation

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88

This document pertains to:

*City of Fresno v. Chevron, USA, et al.*,  
No. 1:04-cv-04973

**[PROPOSED] ORDER OF DISMISSAL WITH PREJUDICE OF ALL CLAIMS  
AGAINST DEFENDANTS TESORO CORPORATION AND TESORO REFINING AND  
MARKETING COMPANY FOR ALL STATIONS AT ISSUE**

On August 16, 2012, after the conclusion of all discovery related to this matter, the Court ordered Plaintiff City of Fresno ("Plaintiff") to identify all sites at which Plaintiff intended to pursue claims at trial and the defendants against which it would assert those claims for each site.

On October 5, 2012, pursuant to the Court's order, Plaintiff served a revised station matrix. The Court adopted Plaintiff's revised station matrix in Case Management Order 108, limiting Plaintiff's claims at trial to the sites and defendants listed in Section A of the matrix. All other sites were dismissed with prejudice.

On March 15, 2013, certain defendants in this matter, including Tesoro Corporation (f/k/a Tesoro Petroleum Corporation) and Tesoro Refining & Marketing Company (erroneously named by Plaintiff as Tesoro Refining & Marketing Company, Inc.) (collectively, "Tesoro") filed a Motion for Summary Judgment for Lack of Evidence Pertaining to Causation.

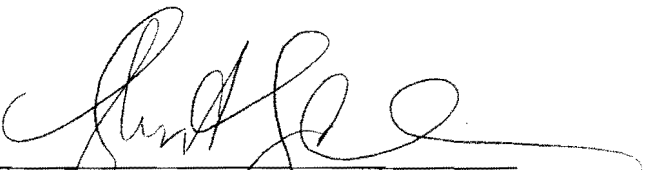
On September 10, 2013, the Court granted the defendants' Motion.

As a result of the Court's decision, Plaintiff has no remaining claims against Tesoro in this matter.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that all claims of Plaintiff City of Fresno against Tesoro for all stations at issue are hereby **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED:**

Dated: November 20, 2013



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The Honorable Shira A. Scheindlin  
UNITED STATES DISTRICT JUDGE